

AMENDED IN ASSEMBLY APRIL 22, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1231

**Introduced by Assembly Member Portantino
(Coauthor: Assembly Member Carter)**

February 27, 2009

An act to add Section 44929.24 to the Education Code, relating to certificated school employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1231, as amended, Portantino. Part-time adult school teachers: collective bargaining.

Existing law classifies a person as a temporary employee if the person is employed to teach adults for not more than 60% of the hours per week considered a full-time assignment for permanent employees having comparable duties, and prohibits such an employee from becoming a probationary employee for purposes of gaining permanent status.

This bill would make the right of certain temporary employees serving as part-time adult school teachers, as defined, to earn and retain annual reappointment rights a mandatory subject of collective bargaining with respect to any new or successor contract between a school district and the exclusive bargaining representative of the certificated employees of that district on or after January 1, 2010.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Part-time adult school teachers make essential contributions
4 to California's adult education system.

5 (2) Part-time adult school teachers, unlike tenured teachers, lack
6 due process protection and may be dismissed at the will of their
7 employers.

8 (3) Sudden dismissal of part-time adult school teachers
9 employed at adult schools over a long time period can be
10 detrimental not only to the affected employees, but also to adult
11 students and prospective adult students in the service area.

12 (4) Because processing and orienting new teachers is a cost item
13 for school districts, facilitating the reappointment of experienced
14 teachers would constitute a cost savings for school districts.

15 (b) It is the intent of the Legislature in enacting this act to
16 increase adult student success, improve academic quality, and
17 ensure diversity and program integrity in California's adult
18 education system by fostering continuity of employment for
19 part-time teachers who have taught for ~~so~~ many years at the same
20 adult school.

21 SEC. 2. Section 44929.24 is added to the Education Code, to
22 read:

23 44929.24. (a) Notwithstanding any other provision of law, the
24 right of part-time adult school teachers to earn and retain annual
25 reappointment rights shall be a mandatory subject of collective
26 bargaining with respect to a new or successor contract between a
27 school district and the exclusive bargaining representative of the
28 certificated employees of that district on or after January 1, 2010.

29 (b) For purposes of this section, "part-time adult school teacher"
30 means a person employed as a temporary employee pursuant to
31 Section 44929.25 who teaches adults for at least 20 percent of the
32 hours per week considered a full-time assignment for permanent
33 employees having comparable duties *and who has received*
34 *satisfactory job performance reviews.*